

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 1537

To amend title 38, United States Code, to provide for the establishment of Parkinson's Disease Research Education and Clinical Centers in the Veterans Health Administration of the Department of Veterans Affairs and Multiple Sclerosis Centers of Excellence.

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IN THE SENATE OF THE UNITED STATES

JULY 28, 2005

Mr. AKAKA introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

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## A BILL

To amend title 38, United States Code, to provide for the establishment of Parkinson's Disease Research Education and Clinical Centers in the Veterans Health Administration of the Department of Veterans Affairs and Multiple Sclerosis Centers of Excellence.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. PARKINSON'S DISEASE RESEARCH, EDU-**  
4 **CATION, CLINICAL CENTERS, AND MULTIPLE**  
5 **SCLEROSIS CENTERS OF EXCELLENCE.**

6 (a) REQUIREMENT FOR ESTABLISHMENT OF CEN-  
7 TERS.—

1           (1) IN GENERAL.—Subchapter II of chapter 73  
2           of title 38, United States Code, is amended by add-  
3           ing at the end the following:

4   **“§ 7329. Parkinson’s disease research, education, and**  
5                   **clinical centers and multiple sclerosis**  
6                   **centers of excellence**

7           “(a) DESIGNATION.—The Secretary, upon the rec-  
8           ommendation of the Under Secretary for Health and pur-  
9           suant to the provisions of this section, shall—

10           “(1) designate—

11                   “(A) at least 6 Department health care fa-  
12                   cilities as the locations for centers of Parkin-  
13                   son’s disease research, education, and clinical  
14                   activities and (subject to the appropriation of  
15                   sufficient funds for such purpose); and

16                   “(B) at least 2 Department health care fa-  
17                   cilities as the locations for Multiple Sclerosis  
18                   Centers of Excellence (subject to the appropria-  
19                   tion of sufficient funds for such purpose); and

20           “(2) establish and operate such centers at such  
21           locations in accordance with this section.

22           “(b) EXISTING FACILITIES; GEOGRAPHIC DISTRIBUTION.—In designating locations for centers under sub-  
23           section (a), the Secretary, upon the recommendation of the  
24           Under Secretary for Health, shall—  
25

1           “(1) designate each Department health care fa-  
2           cility that, as of January 1, 2005, was operating a  
3           Parkinson’s Disease Research, Education, and Clin-  
4           ical Center or a Multiple Sclerosis Center of Excel-  
5           lence unless the Secretary, on the recommendation  
6           of the Under Secretary for Health, determines that  
7           such facility—

8                   “(A) does not meet the requirements of  
9                   subsection (c);

10                   “(B) has not demonstrated effectiveness in  
11                   carrying out the established purposes of such  
12                   center; or

13                   “(C) has not demonstrated the potential to  
14                   carry out such purposes effectively in the rea-  
15                   sonably foreseeable future; and

16           “(2) assure appropriate geographic distribution  
17           of such facilities.

18           “(c) MINIMUM REQUIREMENTS.—The Secretary may  
19           not designate a health care facility as a location for a cen-  
20           ter under subsection (a) unless—

21                   “(1) the peer review panel established under  
22                   subsection (d) determines that the proposal sub-  
23                   mitted by such facility is among those proposals  
24                   which meet the highest competitive standards of sci-  
25                   entific and clinical merit; and

1           “(2) the Secretary, upon the recommendation of  
2           the Under Secretary for Health, determines that the  
3           facility has (or may reasonably be anticipated to de-  
4           velop)—

5                   “(A) an arrangement with an accredited  
6                   medical school which provides education and  
7                   training in neurology and with which such facil-  
8                   ity is affiliated under which residents receive  
9                   education and training in innovative diagnosis  
10                  and treatment of chronic neurodegenerative dis-  
11                  eases and movement disorders, including Par-  
12                  kinson’s disease, or in the case of Multiple Scle-  
13                  rosis Centers, multiple sclerosis disease;

14                  “(B) the ability to attract the participation  
15                  of scientists who are capable of ingenuity and  
16                  creativity in health-care research efforts;

17                  “(C) a policymaking advisory committee  
18                  composed of consumers and appropriate health  
19                  care and research representatives of the facility  
20                  and of the affiliated school or schools to advise  
21                  the directors of such facility and such center on  
22                  policy matters pertaining to the activities of  
23                  such center during the period of the operation  
24                  of such center;

1           “(D) the capability to conduct effectively  
2 evaluations of the activities of such center;

3           “(E) the capability to coordinate, as part  
4 of an integrated national system, education,  
5 clinical, and research activities within all facili-  
6 ties with such centers;

7           “(F) the capability to jointly develop a  
8 consortium of providers with interest in treating  
9 neurodegenerative diseases, including Parkin-  
10 son’s disease, and other movement disorders, or  
11 multiple sclerosis in the case of Multiple Scle-  
12 rosis Centers, at facilities without such centers  
13 in order to ensure better access to state of the  
14 art diagnosis, care, and education for  
15 neurodegenerative disorders, or in the case of  
16 Multiple Sclerosis Centers, autoimmune disease  
17 affecting the central nervous system throughout  
18 the health care system; and

19           “(G) the capability to develop a national  
20 repository in the health care system for the col-  
21 lection of data on health services delivered to  
22 veterans seeking care for neurodegenerative dis-  
23 eases, including Parkinson’s disease, and other  
24 movement disorders, or in the case of Multiple

1           Sclerosis Centers, autoimmune disease affecting  
2           the central nervous system.

3           “(d) PANEL.—(1) The Under Secretary for Health  
4 shall establish a panel to assess the scientific and clinical  
5 merit of proposals that are submitted to the Secretary for  
6 the establishment of new centers under this section.

7           “(2)(A) The membership of the panel shall consist  
8 of experts in neurodegenerative diseases, including Parkin-  
9 son’s disease and other movement disorders, and, in the  
10 case of Multiple Sclerosis Centers, experts in autoimmune  
11 disease affecting the central nervous system.

12           “(B) Members of the panel shall serve as consultants  
13 to the Department for a period of no longer than 2 years  
14 except in the case of panelists asked to serve on the initial  
15 panel as specified in subparagraph (C).

16           “(C) In order to ensure panel continuity, half of the  
17 members of the first panel shall be appointed for a period  
18 of 3 years and half for a period of 2 years.

19           “(3) The panel shall review each proposal submitted  
20 to the panel by the Under Secretary and shall submit its  
21 views on the relative scientific and clinical merit of each  
22 such proposal to the Under Secretary.

23           “(4) The panel shall not be subject to the Federal  
24 Advisory Committee Act.

1       “(e) ADEQUATE FUNDING.—Before providing funds  
2 for the operation of any such center at a health care facil-  
3 ity other than a health care facility designated under sub-  
4 section (b)(1), the Secretary shall ensure that—

5           “(1) the Parkinson’s disease center at each fa-  
6 cility designated under subsection (b)(1) is receiving  
7 adequate funding to enable such center to function  
8 effectively in the areas of Parkinson’s disease re-  
9 search, education, and clinical activities; and

10          “(2) in the case of a new Multiple Sclerosis  
11 Center, that existing centers are receiving adequate  
12 funding to enable such centers to function effectively  
13 in the areas of multiple sclerosis research, education,  
14 and clinical activities.

15       “(f) AUTHORIZATION OF APPROPRIATIONS.—(1)  
16 There are authorized to be appropriated such sums as may  
17 be necessary for the support of the research and education  
18 activities of the centers established under subsection (a).

19          “(2) The Under Secretary for Health shall allocate  
20 to such centers from other funds appropriated generally  
21 for the Department medical services account and medical  
22 and prosthetics research account, as appropriate, such  
23 amounts as the Under Secretary for Health determines  
24 appropriate.

1           “(g) FUNDING ELIGIBILITY AND PRIORITY FOR PAR-  
2 KINSON’S DISEASE RESEARCH.—Activities of clinical and  
3 scientific investigation at each center established under  
4 subsection (a) for Parkinson’s disease shall—

5           “(1) be eligible to compete for the award of  
6 funding from funds appropriated for the Depart-  
7 ment medical and prosthetics research account; and

8           “(2) receive priority in the award of funding  
9 from such account to the extent funds are awarded  
10 to projects for research in Parkinson’s disease and  
11 other movement disorders.

12           “(h) FUNDING ELIGIBILITY AND PRIORITY FOR  
13 MULTIPLE SCLEROSIS RESEARCH.—Activities of clinical  
14 and scientific investigation at each center established  
15 under subsection (a) for multiple sclerosis shall—

16           “(1) be eligible to compete for the award of  
17 funding from funds appropriated for the Depart-  
18 ment medical and prosthetics research account; and

19           “(2) receive priority in the award of funding  
20 from such account to the extent funds are awarded  
21 to projects for research in multiple sclerosis and  
22 other movement disorders.”.

23           (2) CLERICAL AMENDMENT.—The table of sec-  
24 tions at the beginning of chapter 73 of title 38,

1 United States Code, is amended by inserting after  
2 the item relating to section 7328 the following:

“Sec. 7329. Parkinson’s disease research, education, and clinical centers and  
multiple sclerosis centers of excellence.”.

3 (b) EFFECTIVE DATE.—Section 7329 of title 38,  
4 United States Code, as added by subsection (a), shall take  
5 effect on October 1, 2005.

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